## UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

LOU'S TRANSPORT, INC. and T.K.M.S., INC., a Single Employer and/or Joint Employers

and

Case 07-CA-102517

## MICHAEL HERSHEY

## ORDER DENYING MOTION<sup>1</sup>

The Respondents' Motion for Summary Judgment is denied. The Respondents have failed to establish that there are no material issues of fact and that they are entitled to judgment as a matter of law.

Dated, Washington, D.C., February 20, 2014

MARK GASTON PEARCE, CHAIRMAN

PHILIP A. MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER

<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

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